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Docket No.: O3020.0341/P341  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Shinichiro Fukuoka

Application No.: 10/627,872

Confirmation No.: 3620

Filed: July 28, 2003

Art Unit: 2636

For: RFID TAG AND DATA PROCESSING  
METHOD OF RFID TAGS AND  
INTERROGATOR

Examiner: B. Swarthout

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 15, 2005 (Paper No. 04052005), Applicant hereby elects Group I claims 1-9 for continued examination, with traverse.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in one application (35 U.S.C. §121). M.P.E.P. § 803, however, directs as follows (emphasis added): "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." The directive should be followed by the examiner in this case.

The total number of claims would not appear to pose any serious burden. The Examiner is respectfully urged to withdraw the outstanding restriction requirement and examine each of the pending claims.

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Allowance of the application is respectfully solicited.

Dated: May 5, 2005

Respectfully submitted,

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